IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.41871 of 2008
AJAY MANDAL @ AJWA MANDAL
Versus
STATE OF BIHAR
---

4 23.12.2008 Heard.

The petitioner seeks bail in a case instituted under sections 394 of Indian Penal Code. It appears that subsequently sections 395, 397 and 412 have been added.

Counsel for the petitioner submits that F.I.R. has been lodged against unknown. It has further been submitted that nothing incriminating materials have been recovered from the possession of the petitioner. It appears that the material against the petitioner is that two ladies namely Fucho Devi and Laxmi Devi were arrested by the police with certain looted articles. It appears that they named several persons including the petitioner as the persons who had entrusted those properties to them.

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Counsel for the petitioner submits that the aforesaid two ladies namely Fucho Devi and Laxmi Devi, from whose possession the looted articles were recovered, have since been granted privilege of bail. In this connection, he draws attention of the Court to the order dated 8.12.2006 (Annexure-2) as well as an order dated 10.4.2007 passed in Cr. Misc. No. 10368/2007. Counsel for the petitioner further submits that one co-accused namely Mural Yadav who has been similarly named by the ladies have since been also granted the privilege of bail.

In this connection, he draws attention of the Court to an order passed by the learned Sessions Judge in Bail Application no. 334/2007.

Counsel for the State submits that there is criminal antecedent against the petitioner

To this, learned counsel for the petitioner submits that the said case was instituted under minor section of the Penal Code and the petitioner is on bail.

Regard being had to the facts of this case, this Court is inclined to admit the petitioner to bail.

Let the petitioner abovenamed be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Munger in connection with Bariyarpur P.S. case no 53 of 2006 subject to the condition that one of the bailers should be own/close family members of the petitioner.

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pkj **(Kishore K. Mandal, J)**